AMENDMENT TRANSMITTAL LETTER

Docket No. SPINE 3.0-437 CPCPCPCPCPCPCP I CON

Application No.
10/663 488-Conf. #242

Filing Date September 16, 2003

Examiner B. E. Pellegrino Art Unit 3738

Applicant(s): Joseph P. Errico, Michael W. Dudasik, and Rafail Zubok

Invention:

INTERVERTEBRAL SPACER DEVICE HAVING AN ENGAGEMENT HOLE FOR

MANIPULATION USING ASURGICAL TOOL

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED						
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate		
Total Claims	12	- 20 =		X		
Independent Claims	3	- 3 =		x		
Multiple Depend	dent Claims (ch	eck if applicabl	e)			
Other fee (pleas	se specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00	
x Large Entity Small Entity						
x No additional fee is required for this amendment.						
Please charge Deposit Account No in the amount of \$ A duplicate copy of this sheet is enclosed.						
A check in the amount of \$ to cover the filing fee is enclosed.						
Payment by credit card. Form PTO-2038 is attached.						
x The Director is hereby authorized to charge and credit Deposit Account No. 12-1095 as described below. A duplicate copy of this sheet is enclosed.						
x Credit any overpayment.						
charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.						
Raymond Sarg	iuilo. Jr.			Dated:	August 2, 2006	
Attorney/Agent		930				
LERNER, DAV 800 South Aver Westfield, New (908) 518-6342	nue West Jersey 07090		LZ & MENTL	K, LLP		

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: August 2, 2006

Signature:

(Raymond Garguilo, Jr.)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to:

Only 10 or 10 Signature:

August 2, 2006

(Raymond Garguilo, Jr.)

Docket No.: SPINE 3.0-437 CPCPCPCPCPCP I CON III (PATENT)

: Group Art Unit: 3738

: Examiner: B. E.

Pellegrino

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Errico et al.

Application No.: 10/663,488

Filed: September 16, 2003

For: INTERVERTEBRAL SPACER DEVICE HAVING AN ENGAGEMENT HOLE FOR MANIPULATION USING A SURGICAL

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

mailed Official Action to the response In February 17, 2006, Applicants submit the following amendments and remarks.

A Petition for a Three-Month Extension of Time is submitted herewith thereby extending the time for response from May 17, 2006 through and including August 17, 2006.